

| Notice of Allowability | Application No. | Applicant(s) | |
|-------------------------------|------------------------|---------------------|--|
| | 10/680,213 | FUKUOKA ET AL. | |
| | Examiner | Art Unit | |
| | B. Chen | 1762 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendment dated 8/26/05.
2. The allowed claim(s) is/are 1-12.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Art Unit: 1762

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Claims:

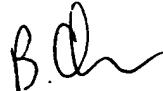
Please cancel nonelected claims 13-14.

This application is in condition for allowance except for the presence of claims 13-14 non-elected without traverse. Accordingly, claims 13-14 have been cancelled.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Chen whose telephone number is (571) 272-1417. The examiner can normally be reached on 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BRET CHEN
PRIMARY EXAMINER

Bc
11/13/05

Chen, Bret

From: Boyd, Denise
Sent: Monday, December 05, 2005 10:27 AM
To: Harrison, Bruce; Chen, Bret
Subject: RE: 10/680213

Good Morning,

Bruce!
This is?
duplicate.
bc

The allowance should not have to mailing because the revision code was not performed. If the case did make it to the contractor's, they would have sent it back. Please check your surrounding areas. If we can not locate the file, then we need to reprint the original. Thanks

-----Original Message-----

From: Harrison, Bruce
Sent: Thursday, December 01, 2005 12:04 PM
To: Chen, Bret
Cc: Boyd, Denise; Watkins, Leland
Subject: RE: 10/680213

If the allowance NOA on 11/15/05 count wasn't complete when it left this floor then contractors would've sent it back. I don't know where to get a copy. Standby and I'll try to find out...BH

-----Original Message-----

From: Chen, Bret
Sent: Thursday, December 01, 2005 11:38 AM
To: Harrison, Bruce
Subject: 10/680213

Bruce,

An attorney called me on the above application. The Notice of Allowance was mailed out but did not include the sheet which the applicant needs to pay the issue fee.

What do I need to do to get those sheets to the applicant?

bc